

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOE SMITH and MARIA SMITH,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:05-cv-584-WDS
)	
HUBBELL INCORPORATED, HOWARD)	
INDUSTRIES, INC., and HUBBELL)	
POWER SYSTEMS, INC.,)	
)	
Defendants.)	

ORDER

On June 28, 2006, this Court conducted a telephonic discovery dispute conference as indicated in the June 29, 2006 Minute Entry (Doc. 32). At the conference, the defendant (Hubbell) sought a Court order compelling the plaintiffs to sit for a deposition. The plaintiffs offered no objection to this request. The parties also requested a one month shift in the deadlines in this case. Finally, the defendant (Howard) sought a Court order compelling the plaintiffs to sign a number of releases. The plaintiffs also had not objection to this request.

In light of the parties' requests, the schedule in this matter is amended as follows:

1. Plaintiffs' deposition shall be taken by **August 2, 2006**. The depositions shall take place at the offices of McGlynn & McGlynn, 116 South Charles Street, Belleville, IL 62220 at 10:00 a.m. The plaintiffs are **WARNED** that the failure to appear at their depositions **SHALL** result in sanctions contemplated by Federal Rule of Civil Procedure 37.
2. Defendants' depositions shall be taken by **September 6, 2006**.
3. Third Party actions must be commenced by **June 22, 2006**. Cross-claims and counterclaims shall be filed in accordance with the Federal Rules of Civil Procedure.
4. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff's expert(s): **October 6, 2006**
Defendant's expert(s): **December 6, 2006**
Third Party expert(s): **January 6, 2007**

5. Depositions of expert witnesses must be taken by :

Plaintiff's expert(s): **November 6, 2006**
Defendant's expert(s): **January 6, 2007**
Third Party expert(s): **February 6, 2007**

6. **Discovery** shall be completed by **February 6, 2007** (which date shall be no later than one hundred fifteen (115) days before the first day of the month of the presumptive trial month). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full thirty (30) days as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
7. All **dispositive motions** shall be filed by **February 21, 2007** (which date shall be no later than one hundred (100) days before the first day of the month of the presumptive trial month). Dispositive motions filed after this date will not be considered by the Court.

- B. A settlement conference is **RESET** before Magistrate Judge Donald G. Wilkerson in accordance with SDIL-LR 16.3(b) to **December 19, 2006 at 9:00 a.m.** in the East St. Louis Federal Courthouse.
- C. A final pretrial conference is **RESET** to **May 18, 2007 at 11:00 a.m.** before the trial judge in accordance with SDIL-LR16.2(b).
- D. The presumptive trial month is **RESET** to **June, 2007.**

As indicated at the conference, the schedule in this case, which has already been extended by 6 months in a previous order, will not be extended again absent extraordinary circumstances.

Finally, the plaintiffs shall sign and produce to the defendants medical, employment, tax, and social security releases by **July 10, 2006**.

DATED: June 29, 2006

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge